

## REMARKS/ARGUMENTS

The present Amendment is responsive to the final Office Action mailed August 19, 2009 in the above-identified patent application.

New claims 13 and 14 have been added. Therefore, claims 1-12 are the claims currently pending in the present application.

Claims 1, 3, 5, 6, 8 and 9 are amended to clarify features recited thereby. These amendments are fully supported by Applicant's disclosure see, for example, the Specification, page 9, lines 5-9 and Fig. 2 of the Drawings.

### ***Rejection of Claims 1, 3, 7, and 12 under 35 U.S.C. § 103***

Claims 1, 3, 7 and 12 are rejected under 35 U.S.C. § 103 as being obvious from Thomas, U.S. Patent No. 5,224,798 in view of either Bulkley et al., U.S. Patent No. 2,308,743 or Evans, U.S. Patent No. 4,456,404. Reconsideration of this rejection is respectfully requested.

Without intending to limit the scope of the claims, according to an aspect of Applicant's invention as claimed in claims 1 and 8, independently operable shuttle elements are provided for each leg, and each shuttle element is free of direct contact with any other element of the shuttle.

Claim 1 requires a structure for decommissioning and transporting an offshore fixed oil production platform is provided, the structure comprising a shuttle comprising elements, each element provided for a respective lifting leg, and each element comprising a mechanical drive positioned on the associated lifting leg and configured to drive the respected element independently of remaining elements of the shuttle, wherein each element of the shuttle on each leg is separate from and free from direct physical contact with any other element of the shuttle on another leg.

Thomas discloses a device for overloading a jack-up oil platform, including a hull provided with a first device for applying an overload weight on the leg, and a second overload device. Thomas does not disclose or suggest a structure for transporting, installing and dismantling a fixed oil production platform, as required by claim 1.

Further, Thomas discloses that additional loading devices comprise removable reservoir 11. Each removable reservoir is supported by each carrying structure 9, and each reservoir is divided into a plurality of independent enclosures 11a, 11b and 11c. These enclosures 11a-11c rest against each carrying structure 9 through blocks 15 of elastic material. Thus, Thomas discloses a removable reservoir supported by each carrying structure.

Thomas does not disclose or suggest a shuttle positionable along the lifting legs and operable to move one of the deck and the lat least one support column of the production platform, as required by claim 1. Moreover, Thomas does not disclose or suggest a shuttle that can be independently driven along the leg.

Bulkley discloses a barge that may be supported at a desired elevation relative to the surface of the water (Bulkley, page 1). Bulkley discloses that the barge is equipped with a suitable number of upstanding bearings 5 (Bulkley, Fig. 7-9). Bulkley discloses that these upstanding bearings are each firmly secured to the platform 10 and are reinforced and supported by braces 6. These bearings 5 and braces 6 are firmly secured to platform 10. The brace does not move independently of braces on other upstanding bearings.

Evans discloses an apparatus for positioning a working barge above a sea surface for shallow water drilling or production that provides a drydock with wing walls and jacking legs (Evans, Abstract). Evans discloses that the offshore drilling rig comprises the jack-up drydock 40 supported on jacking legs 42 above the sea surface 44. Evans discloses that the jacking legs 42 include at their lower ends pods 48 that rest on sea bottom 50 and that the jacking legs extend up from the pods 48 above the sea surface 44 to the jack-up drydock 40, where they pass through wingwalls 52 on the jack-up drydock. The jacking legs 42 extend through jacking towers 54 mounted on top of the wingwalls and the jacking mechanisms include jacking towers 54 to raise and lower jacking legs 42 relative to wingwalls 52. Thus, when leg pods 48 rest on the sea bottom 50, the jack-up drydock 40 may be raised and lowered relative to the sea surface 44. Jacking house 54 is disclosed to be firmly fixed to the working platform. Evans is silent as to shuttle elements that may be driven independently of remaining elements of the shuttle and free of direct physical contact with remaining elements to the shuttle, as required by claim 1.

Accordingly, even taken together in combination, Thomas, Bulkley and Evans do not disclose or suggest the above-referenced recitations of claim 1. The cited art does not disclose or suggest a shuttle comprising independent elements, each element comprising a mechanical drive positioned on the associated lifting leg and configured to drive the respective element independently of remaining elements of the shuttle, and each element of the shuttle on each leg being separate from and free of direct physical contact with any other element of the shuttle on another leg, as required by claim 1.

Claims 3, 7 and 12 depend from claim 1, and are therefore patentably distinguishable over the cited art for at least the same reasons.

***Rejection of Claims 1-4, 7-9 and 12 under 35 U.S.C. § 103***

Claims 1-4, 7-9 and 12 are rejected under 35 U.S.C. § 103 as being obvious from PCT International Application Publication No. 2003/080425 in view of either Bulkley or Evans. Reconsideration of this rejection is requested.

WO '425 does not cure the above-discussed deficiencies of Thomas, Bulkley and Evans as they relate to the above-referenced recitations of claim 1. WO '425 discloses a shuttle 30 that is displaceable along lifting leg 12 by the ball 11. However, shuttle elements cannot be displaced alone according to the teachings of WO '425. Accordingly, even taken together in combination, WO '425, Bulkley and Evans do not disclose or suggest the recitations of claim 1.

Claims 2-4, 7 and 12 depend from claim 1, and are therefore patentably distinguishable over the cited art for at least the same reasons.

Claim 8 requires a method for decommissioning and transporting framework element of a fixed oil platform, the method comprising positioning a transport structure comprising three lifting legs and a shuttle including at least three elements, each element of the at least three elements provided for one of the at least three lifting legs and positionable independently of remaining elements of the at least three elements along the respective leg of the at least three legs, wherein each element of the shuttle on each leg is separate from and free of direct physical contact with any other element of the shuttle on another leg.

As discussed, the cited art does not disclose or suggest such features. Accordingly, the cited art does not disclose or suggest the recitations of claim 8.

Claim 9 depends from claim 8, and is therefore patentable distinguishable over the cited art for at least the same reasons.

***New Claims***

New claims 13 and 14 are added so as more fully to claim patentable aspects of Applicant's invention. New claims 13 and 14 are fully supported by Applicant's disclosure see, for example, allowable claims 5 and 6.

Claim 13 includes recitations of claim 5, which the Office Action acknowledged (Office Action, page 4) to be allowable. Accordingly, claim 13 is allowable for at least this reason.

Claim 14 depends from claim 13, and is therefore patentably distinguishable over the cited art for at least the same reasons.

In view of the foregoing discussion, withdrawal of the rejections and allowance of the claims of the application are respectfully requested.

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE PATENT AND  
TRADEMARK OFFICE EFS FILING  
SYSTEM ON January 19, 2010

RCF:GB/jl

Respectfully submitted,



Robert C. Faber  
Registration No.: 24,322  
OSTROLENK FABER LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700